

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**BRYAN ANTHONY REO,**

Plaintiff

v.

**MARTIN LINDSTEDT,**

Defendant

Case No. 1:19-CV-02103-SO

Hon. Solomon Oliver, Jr.

Mag. Reuben J. Sheperd

OPPOSITION TO EXTENSION

[1:19-cv-2103]

[1:19-cv-2589]

**REO LAW, LLC**

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**MARTIN LINDSTEDT**

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*Pro se Defendant*

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**PLAINTIFF'S BRIEF IN OPPOSITION  
TO DEFENDANT'S REQUEST FOR EXTENSION**

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NOW COMES Bryan Anthony Reo ("Plaintiff") in 1:19-cv-2103 and 1:19-cv-2589 and hereby propounds upon Martin Lindstedt ("Defendant") and this Honorable Court Plaintiff's Brief in Opposition to Defendant's Request for Extension.

On 12/26/2024 Defendant emailed the Court requesting another extension of time within which to file a motion under Fed. R. Civ. P. 59(e). Plaintiff opposes this request and will provide a concise explanation for the opposition.

Defendant's health issues are unfortunate, but it does not mean that this matter, already more than five years old, can be delayed and dragged out for an indefinite number of months (or years) while Defendant is restored to health, something which may potentially never happen.

While Defendant was healthy, during the pendency of this 5+ year long case, he chose not to be represented by Counsel, and now that he claims ill-health and an inability to litigate timely and properly, it is a problem that was a foreseeable consequence of a choice he made 5+ years ago. It is not Plaintiff's fault nor this Court's fault that Defendant dragged this case out as long as he did, engaged in misconduct, wound up sanctioned, and did all of this while choosing to be pro se and thus solely responsible for his own case, his own defense, and his own deadlines. Defendant has not articulated any meritorious reason or basis by which he will seek a new trial under Rule 59(e) because there aren't any meritorious reasons.

Defendant has engaged in substantial misconduct throughout this case, requesting multiple extensions for basic simple matters, using up all of the time granted, and then asking for additional extensions the day something was due or the day before something was due. Defendant was even sanctioned for his misconduct in the discovery process of this case. At one point in 2020 during the point when the 1:19-cv-2589 case was in front of Judge Boyko, Defendant practically begged for a 90-day extension and promised to cooperate and participate in discovery. He was granted 60 days. Taking more than 60 days, he filed "belated responses" wherein he made it clear he would not provide any written responses to Plaintiff's discovery and provided his disparaging remarks about Plaintiff's race (or perceived race) as the basis for his refusal<sup>1</sup>.

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<sup>1</sup> 1:19-cv-2589, ECF No. 67, No 74, No. 77.

At the present, the jury returned a verdict in favor of Plaintiff on 11/8/2024. This began the 28-day deadline within which Defendant could move for relief under Fed. R. Civ. P. 59(e). Defendant claims he had a stroke on 11/11/2024. In any event he waited until 12/6/2024 to email the Court a copy of Rule 59e and an explanation about his stroke, without explicitly asking for an extension. Defendant said he would be released from the hospital on December 19. The Court, treating Defendant's email as a request for an extension, granted him a 21-day extension to December 27, 2024, quite reasonable in light of Defendant's reported stroke.

Now however, Defendant, waiting until 10:00 pm on 12/26/2024, requests another extension, of unspecified duration, stating he is now at a hospital in Fayetteville, Arkansas. Interestingly, Defendant said, "need more time for an appeal." It should now be obvious that Defendant is trying to drag out the clock and extend things for his deadline to file an actual appeal, not a mere Fed. R. Civ. P. 59(e) motion. Defendant appears aware that the filing of a timely motion under rule 59e will pause the clock for appellate deadline purposes. Thus, he is obviously trying to drag the matter out as long as possible

If this Court is inclined to grant Defendant another extension, it should only do so with the provision of a date certain by which the filing is due and with the admonishment that no further extensions will be granted regardless of the circumstances. Otherwise, the Defendant will be free to continue his pattern of doing nothing during the relevant period, waiting until the very last minute, and then requesting fresh extensions in what is clearly a scheme of delay.

At some point there must be finality in this matter, even if it means Defendant suffers an adverse consequence for his failure to make alternative arrangements regarding his Fed. R. Civ. P. 59(e) motion. There should be no extension and if there is it should come with a date certain and it should be made clear that it is the last and final extension and no further extensions will be granted under any circumstances.

Respectfully submitted,

**REO LAW, LLC**

/s/ Bryan Anthony Reo

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*Pro Se Plaintiff and Attorney*

Dated: December 27, 2024

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**CERTIFICATE OF SERVICE**

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I, Bryan Anthony Reo, affirm that I am Counsel party to the above-captioned civil action, and on December 27, 2024, I served a true and accurate copy the foregoing document upon Martin Lindstedt, 338 Rabbit Track Road, Granby, MO 64844, by placing the same in a First Class postage-prepaid, properly addressed, and sealed envelope and in the United States Mail located in City of Mentor, Lake County, State of Ohio. Due to the time sensitive nature of this matter, a copy has also been emailed to Defendant at the email address he has used throughout these proceedings.

/s/ Bryan Anthony Reo

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*Pro Se Plaintiff and Attorney*

Dated: December 27, 2024